

In re: Gerald H. Negley et al.
Application Serial No.: 10/659,108
Filed: September 9, 2003
Page 2 of 3

REMARKS

The present Request for Reconsideration is being filed in a final attempt to avoid the need for an appeal. The Advisory Action states that Applicants' Request for Reconsideration was considered, but does not place the application in condition for allowance because:

...the Applicant argues that Shie does not disclose the conformal aluminum oxide (14) coating in the cavity. This is not persuasive because in fig. 2, Shie clearly shows that a conformal aluminum oxide layer 14 on a surface of the solid aluminum block 10, and in the cavity (cavity without LED); Thus, Shie would meet the claim limitations.

Applicants respectfully request the Examiner to reconsider this statement. Figure 2 of Shie is reproduced below, with an arrow drawn to indicate the cavity without the LED.

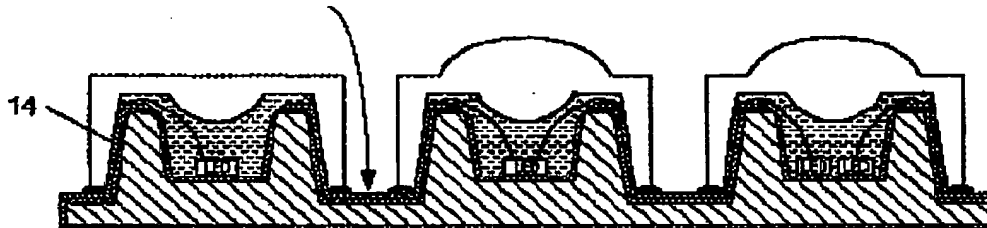


FIG. 2

Applicants agree that the aluminum oxide layer 14 (numbered by Applicants in this drawing) is in the cavity without the LED. However, the Examiner apparently agrees that, as shown by the drawings, the aluminum oxide layer 14 does not extend into the cavities with the LEDs. Applicants respectfully ask how can the cavity without the LED describe the following underlined recitations of Claim 3?

3. A mounting substrate for a semiconductor light emitting device comprising:
a solid aluminum block including a cavity in a face thereof that is configured for mounting a semiconductor light emitting device therein;
and
a conformal insulating coating comprising aluminum oxide on a surface of the solid aluminum block, and in the cavity; and
first and second spaced apart conductive traces on the conformal insulating coating in the cavity that are configured for connection to a semiconductor light emitting device. (Emphasis added.)

Moreover, how can the cavity without the LED describe the below underlined recitations of Claim 15?

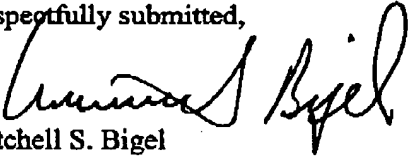
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Page 3 of 3

15. A light emitting device comprising:
a solid aluminum block including a cavity in a face thereof and a conformal aluminum oxide coating on a surface thereof including in the cavity;
first and second spaced apart conductive traces on the conformal aluminum oxide coating in the cavity;
a semiconductor light emitting device that is mounted in the cavity and is connected to the first and second spaced apart conductive traces;
a lens that extends across the cavity; and
an encapsulant between the semiconductor light emitting device and the lens. (Emphasis added.)

The cavity without the LED clearly does not describe these recitations, nor does the cavity with the LED describe these recitations, because the conformal aluminum oxide layer 14 simply does not extend in the cavity. The Examiner is, in effect, taking Shie's drawing of two separate cavities and applying them to the single cavity that is recited in Claims 3 and 15, contrary to the clear teachings of Shie. For at least these reasons, independent Claims 3 and 15, and the dependent claims that depend therefrom, should be in condition for allowance.

Accordingly, Applicants respectfully request entry of their Amendment of March 15, 2005, and the above Request for Reconsideration, and allowance of the present application.


Respectfully submitted,


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Susan E. Freedman
Date of Signature: April 12, 2005